

Notice of Allowability

Application No.

10/084,540

Examiner

Anh Ly

Applicant(s)

MOGI ET AL

Art Unit

2162

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 12/08/2005.
2. ☒ The allowed claim(s) is/are 43-52 (renumbered as 1-10).
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date 12/08/2005
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


JENNIFER L. BROWN
PATENT EXAMINER

DETAILED ACTION

1. This Office Action is response to Applicants' Amendment filed on 12/08/2005.
2. Claims 47-52 have been added.
3. Claims 43-52 are allowed.

Allowable Subject Matter

4. The present application has been thoroughly reviewed. Upon searching a variety of databases, the examiner respectfully submits that claims 43-52 are allowed in light of the applicants' argument and in light of the prior arts of made record.

5. The following is an examiner's statement of reasons for allowance:

The claimed invention is directed to a method and computer system for a data relocation and a data storage position management main program collecting volume physical storage position management information and physical storage apparatus operation information from a storage apparatus, and storing them as storage apparatus arrangement information and storage apparatus operation information, determining a data relocation plan and data migration instruction being issued to conform to the data relocation plan, and acquiring information on a database to be managed by said database management system through said computer, wherein said information on database contains at least one of information relating to a data structure including table, index and log defined by a schema of said database management system and information relating to record positions of said database and wherein said storage apparatus has at least one physical storage means for storing at least one piece of

data/data, and said allocation determination means determining a data allocation which specify a storage position in said physical storage means of said storage apparatus.

The closest prior arts, Lowenthal et al. (hereinafter Lowenthal) of 6,035,306 teaches method for improving performance of large databases, relating to a performance analysis tool considering mapping between DBMS, file system, volume manager and storage system. The tool also has a function of creating an object relocating plan to migrate a second-high load object to a group of lower-load storage devices. While, Ledain et al. (hereinafter Ledain) of 6,021,408 teaches the logical data transfer path between a storage device and writing migration of data to the archival storage.

Thus, in combination, Lowenthal and Ledain fail to teach "information on database contains at least one of information relating to a data structure including table, index and log defined by a schema of said database management system and information relating to record positions of said database and wherein said storage apparatus has at least one physical storage means for storing at least one piece of data/data, and said allocation determination means determining a data allocation which specify a storage position in said physical storage means of said storage apparatus."

6. These distinct features, in conjunction with all other limitations of the dependents and independent claims render claims 43-52 them allowable.


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7. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Contact Information

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anh Ly whose telephone number is (571) 272-4039 or via E-Mail: ANH.LY@USPTO.GOV or fax to **(571) 273-4039 (Examiner's fax number)**. The examiner can normally be reached on TUESDAY – THURSDAY from 8:30 AM – 3:30 PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Breene, can be reached on (571) 272-4107 or **Primary Examiner Jean Corrielus (571) 272-4032**.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). Any response to this action should be mailed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231, or faxed to: **Central Fax Center: (571) 273-8300**

ANH LY 
FEB. 21st, 2006


JEAN W. CORRIELUS
PRIMARY EXAMINER